

1 UNITED STATES DISTRICT COURT
2 NORTHERN DISTRICT OF MISSISSIPPI
3
4 UNITED STATES OF AMERICA,)
5)
6 Plaintiff,) CASE NO. 4:16CR02
7)
8 vs.)
9)
10 MAY BAILEY GOUGH,)
11)
12 Defendant.)
13 _____

9
10 WAIVER OF INDICTMENT / FILING OF INFORMATION
11 PLEA AS TO COUNT 1 OF THE INFORMATION
12 BEFORE DISTRICT JUDGE MICHAEL P. MILLS
13 THURSDAY, SEPTEMBER 1, 2016; 1:35 P.M.
14 OXFORD, MISSISSIPPI

13 FOR THE GOVERNMENT:

14 United States Attorney's Office
15 DAVID FULCHER, ESQ.
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17 FOR THE DEFENDANT:

18 Travis Law Office
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21
22 Proceedings recorded by mechanical stenography, transcript
produced by computer.

23 _____
24 RITA DAVIS YOUNG, FCRR, RPR, CSR #1626
25 FEDERAL OFFICIAL COURT REPORTER
911 JACKSON AVENUE EAST, SUITE 369
OXFORD, MISSISSIPPI 38655

1 (CALL TO ORDER OF THE COURT)

2 THE COURT: Mrs. Pennebaker-Wilkerson, would you call
3 the docket.

4 THE COURTROOM DEPUTY: Court calls Cause No.
5 4:16CR02, United States of America v. May Bailey Gough. This
6 is a waiver of indictment, filing of information, and plea to
7 Count 1 of the information.

8 THE COURT: All right. Who do we have from the
9 defendant -- I'm sorry -- the Government?

10 MR. FULCHER: David Fulcher for the Government, Your
11 Honor.

12 THE COURT: All right.

13 And for the defendant?

14 MR. TRAVIS: Bill Travis for Ms. Gough, Your Honor.

15 THE COURT: And you have your client with you?

16 MR. TRAVIS: May we approach, Your Honor?

17 THE COURT: Do we have anyone from probation?

18 MR. FOUNTAIN: Andrew Fountain from probation, Your
19 Honor.

20 THE COURT: Glad to have you, Mr. Fountain.

21 MR. FOUNTAIN: Thank you.

22 THE COURT: Yes. Are you read to proceed?

23 MR. TRAVIS: Yes. Thank you, Judge.

24 (PARTIES COMING FORWARD)

25 MR. TRAVIS: May she have a seat in front of the

1 microphone?

2 THE COURT: That'll be fine.

3 You want to administer the oath.

4 (OATH ADMINISTERED BY THE COURTROOM DEPUTY)

5 THE COURT: All right. Ms. Gough, do you understand
6 that you are under oath; and any answers to these questions are
7 subject to the penalties of perjury, that is, making a false
8 statement under oath if you do not answer them truthfully?

9 THE DEFENDANT: Yes, sir.

10 THE COURT: And your name is May Bailey Gough?

11 THE DEFENDANT: Yes, sir.

12 THE COURT: And I am told that you wish to plead
13 guilty to a charge set forth in what's known as an information.
14 Is that correct?

15 THE DEFENDANT: I do.

16 THE COURT: And do you understand that you have not
17 been indicted on this charge?

18 THE DEFENDANT: Yes, sir, I do.

19 THE COURT: And that means that the grand jury has
20 not heard any evidence or decided whether you should be brought
21 to trial, and you have the right to have a grand jury to
22 consider your evidence. The only thing that has happened is
23 that the U.S. Attorney has signed an affidavit charging you
24 with this crime. Have you discussed waiving your right to
25 indictment by the grand jury with your attorney?

1 THE DEFENDANT: Yes, I have.

2 THE COURT: And do you understand that you do have a
3 right to go before the grand jury?

4 THE DEFENDANT: Yes, sir, I do.

5 THE COURT: Have any threats or promises been made to
6 induce you to waive indictment?

7 THE DEFENDANT: No, they haven't.

8 THE COURT: And do you waive your -- and is that what
9 you wish to do, is waive your indictment?

10 THE DEFENDANT: Yes, I do.

11 THE COURT: Has she signed a waiver?

12 MR. TRAVIS: Yes, Your Honor.

13 THE COURT: Have you signed it?

14 MR. TRAVIS: I have, Your Honor.

15 THE COURT: Okay.

16 MR. FULCHER: (Passing document).

17 THE COURT: (Perusing document). Let it be filed.

18 And you have the information also? You want to file it?

19 MR. FULCHER: (Passing documents).

20 THE COURT: Ms. Gough, before accepting your plea,
21 there are a number of questions that I must ask you. If, at
22 any time, you wish to consult with your attorney or if you
23 don't understand the question, you let me know.

24 THE DEFENDANT: Yes, sir.

25 THE COURT: What is your full name?

1 THE DEFENDANT: May Alice Bailey Gough.

2 THE COURT: And how old are you?

3 THE DEFENDANT: Sixty-nine.

4 THE COURT: How far did you go in school?

5 THE DEFENDANT: Completed high school.

6 THE COURT: Are you able to speak and understand
7 English?

8 THE DEFENDANT: Yes, I am.

9 THE COURT: Are you presently under the influence of
10 any drugs, medicine, or alcohol?

11 THE DEFENDANT: No, sir.

12 THE COURT: Do you think you fully understand what is
13 happening here today?

14 THE DEFENDANT: Yes, I do.

15 THE COURT: Mr. Travis, you've talked with your
16 client today and earlier, I presume. Do you have any questions
17 about her competency to enter a plea?

18 MR. TRAVIS: No, Your Honor.

19 THE COURT: Mr. Fulcher, do you have any questions
20 about her competency to enter a plea?

21 MR. FULCHER: Your Honor, I have no questions about
22 her competency.

23 THE COURT: All right. Well, I find that Ms. Gough
24 is competent to enter a plea. Have you had ample opportunity
25 to discuss your case with your attorney?

1 THE DEFENDANT: Yes, I have.

2 THE COURT: Are you satisfied with Mr. Travis's
3 representation of you?

4 THE DEFENDANT: Yes, I am.

5 THE COURT: Do you feel like he's looked out for your
6 best interests?

7 THE DEFENDANT: Yes, I do.

8 THE COURT: Do you understand that, under the
9 Constitution and the laws of the United States, you are
10 entitled to a trial by jury?

11 THE DEFENDANT: I understand that.

12 THE COURT: Do you understand, at trial, you would be
13 presumed innocent; and the Government would be required to
14 prove you guilty beyond a reasonable doubt before you could be
15 found guilty; and you would not be required to prove your
16 innocence?

17 THE DEFENDANT: I understand it.

18 THE COURT: Do you further understand that, in the
19 course of the trial, witnesses for the Government would have to
20 come into court and testify in your presence; your attorney
21 could cross-examine witnesses for the Government; and he could
22 also call other witnesses to testify on your behalf?

23 THE DEFENDANT: Yes, I do.

24 THE COURT: Are you aware that if you wished to
25 testify yourself in our own defense you would have that right

1 to do so, but if you chose not to testify no inference or
2 suggestion of guilt would be drawn by you so choosing?

3 THE DEFENDANT: Yes, sir.

4 THE COURT: If you plead guilty here today and if I
5 accept your plea, do you understand that you're going to waive
6 your right to trial and the other rights that I just discussed
7 with you?

8 THE DEFENDANT: Yes, sir.

9 THE COURT: Is it still your desire to plead guilty
10 to this information?

11 THE DEFENDANT: Yes, it is.

12 THE COURT: Have you received a copy of the charge
13 against you?

14 THE DEFENDANT: Yes, sir.

15 THE COURT: And what is she charged with,
16 Mr. Fulcher?

17 MR. FULCHER: Your Honor, the defendant, Ms. Gough,
18 is charged here in a single-count information with conspiracy
19 to defraud a health care benefit program in connection with the
20 delivery or payment for health care benefit items or services.

21 THE COURT: Okay. Are you aware that that's what
22 you're charged with?

23 THE DEFENDANT: Yes, sir.

24 THE COURT: Before you could be found guilty of this
25 charge, the Government would have to prove certain elements

1 against you beyond a reasonable doubt.

2 Mr. Fulcher, will you read these elements into the record?

3 MR. FULCHER: Yes, Your Honor. Your Honor, the
4 defendant here, May Bailey Gough, as I mentioned, is charged in
5 this single-count information with a violation of Title 18,
6 United States Code, Section 371 and Section 1347.

7 Title 18, United States Code, Section 1347 makes it a
8 crime for any person to knowingly and willfully execute, and
9 attempt to execute, a scheme and artifice to defraud any health
10 care benefit program in connection with the delivery or payment
11 for health care benefit items or services or to obtain money
12 and property from any health care benefit program by means of
13 false and fraudulent pretenses, representations, or promises in
14 connection with the delivery or payment for health care benefit
15 items or services.

16 The elements of this particular violation, which must be
17 proven beyond a reasonable doubt, are, first, that the
18 defendant knowingly and willfully executed, or attempted to
19 execute, a scheme or artifice to defraud a health care benefit
20 program; or that the defendant knowingly and willfully
21 executed, or attempted to execute, a scheme or artifice to
22 obtain money and property from a health care benefit program by
23 means of false and fraudulent pretenses, representations, or
24 promises as charged in the information. And, second, that the
25 defendant acted willfully, that is, with the intent to defraud

1 a health care benefit program.

2 The phrase "scheme to defraud" includes any scheme to
3 deprive another of money or property by means of false or
4 fraudulent pretenses, representations, or promises. A
5 representation may be false when it constitutes a half truth or
6 effectively conceals a fact, provided it is made with intent to
7 defraud.

8 The phrase "health care benefit program" includes, under
9 the definition of the law, the Medicare and Medicaid programs.
10 The count, as I mentioned, is a charge of conspiracy. Title
11 18, United States Code, Section 371 makes it a crime for anyone
12 to conspire with someone else to commit an offense against the
13 laws of the United States.

14 The defendant is charged here with conspiring to knowingly
15 and willfully execute, and attempt to execute, a scheme and
16 artifice to defraud a health care benefit program in connection
17 with the delivery or payment for health care benefits.

18 Under the law, conspiracy is an agreement between two or
19 more persons to join together to accomplish some unlawful
20 purpose. It's a kind of partnership in crime in which each
21 member becomes the agent of every other member.

22 And the elements of that offense, which must be proven
23 beyond a reasonable doubt, are, first, that the defendant and
24 at least one other person made an agreement to commit the crime
25 of defrauding a health care benefits program as charged in the

1 information.

2 Second, that the defendant knew the unlawful purpose of
3 the agreement and joined in it willfully, that is, with the
4 intent to further the unlawful purpose. And, third, that one
5 of the conspirators, during the existence of the conspiracy,
6 knowingly committed at least one of the overt acts described in
7 the information in order to accomplish some object or purpose
8 of the conspiracy.

9 One may become a member of a conspiracy without knowing
10 all of the details of the unlawful scheme or the identities of
11 all the other alleged conspirators. If a defendant understands
12 the unlawful nature of a plan or scheme and knowingly and
13 intentionally joins in that plan or scheme on one occasion,
14 that is sufficient to convict him or her for conspiracy, even
15 though the defendant had not participated before and even
16 though the defendant played only a minor part.

17 The Government need not prove that the alleged
18 conspirators entered into any formal agreement, nor that they
19 directly stated between themselves all the details of the
20 scheme. Similarly, the Government need not prove that all of
21 the details of the scheme alleged in the information were
22 actually agreed upon or carried out nor must it prove that all
23 the persons alleged to have been members of the conspiracy were
24 such or that alleged conspirators actually succeeded in
25 accomplishing their unlawful objectives.

1 The mere presence at the scene of an event, even with the
2 knowledge that a crime is being committed, or the mere fact
3 that certain persons may have associated with each other and
4 may have assembled together and discussed common aims and
5 interests, does not necessarily establish proof of the
6 existence of a conspiracy.

7 Also, a person who has no knowledge of a conspiracy but
8 happens to act in a way which advances some purpose of the
9 conspiracy does not, thereby, become a conspirator. Your
10 Honor, those are the elements of the offense charged in this
11 case. And we submit to the Court that we would be able to
12 prove and meet these elements by evidence to be presented at
13 trial if it were to go to trial.

14 THE COURT: All right. Thank you.

15 Ms. Gough, do you have any questions about these charges?

16 THE DEFENDANT: No, sir.

17 THE COURT: What are the maximum penalties she could
18 be sentenced to, Mr. Fulcher?

19 MR. FULCHER: Your Honor, the maximum penalty for the
20 conspiracy as charged is not more than 5 years' imprisonment,
21 and/or a \$250,000 fine; together with supervised release of not
22 more than 3 years.

23 THE COURT: All right.

24 Do you understand these penalties, Ms. Gough?

25 THE DEFENDANT: Yes, sir.

1 THE COURT: Has there been a plea agreement entered
2 into?

3 MR. FULCHER: Yes, sir.

4 THE COURT: Would you state into the record the
5 substance of the plea agreement, please?

6 MR. FULCHER: Yes, sir. Your Honor, the agreement
7 between the defendant and the Government is set forth in two
8 documents. The first is the plea agreement, and the second is
9 the plea supplement. As set forth in the -- and we would also
10 note, for the record, that the complete terms of the agreement
11 between the defendant and the Government are contained in these
12 two written documents. And I'll merely summarize the agreement
13 now for the Court and for the record and for the defendant.

14 In this case, the defendant, May Bailey Gough, has agreed
15 to plead guilty to a single-count information charging her with
16 what is commonly known as health care fraud or, that is,
17 conspiracy to commit health care fraud.

18 In reaching this agreement, the defendant has, among other
19 thing, waived certain rights. The defendant has knowingly
20 waived, and understands that she is waiving, the right to
21 appeal the conviction on any ground whatsoever.

22 She's waiving the right to contest the conviction in any
23 postconviction proceeding, including, but not limited to, a
24 motion under Title 28, United States Code, Section 2255 and any
25 type of proceeding claiming double jeopardy or excessive

1 penalty.

2 She's waiving any right to seek attorneys fees and/or
3 costs under the Hyde Amendment, and she acknowledges that the
4 Government's position in this prosecution was not vexatious,
5 frivolous, or in bad faith.

6 She's also waiving all rights, whether directly asserted
7 or through a representative, to request, from any department or
8 agency of the United States, any records pertaining to the
9 investigation or prosecution of this case, including, without
10 any limitation, any such requests under the Privacy Act or the
11 Freedom of Information Act.

12 She further acknowledges and agrees that the factual
13 issues regarding sentencing will be resolved by the sentencing
14 judge, and she waives a right to a jury determination of any
15 such sentencing issues.

16 The defendant is also, as set forth in Paragraph 9 of the
17 plea agreement, agreeing to an exclusion from the Medicare
18 program and other federal health care programs. She
19 understands and acknowledges that, as a result of this plea,
20 she will be excluded from Medicare, Medicaid, and all federal
21 health care programs for 10 years.

22 She agrees to complete and execute all necessary documents
23 provided by any department or agency of the federal government,
24 including, but not limited to, the United States Department of
25 Health and Human Services to effect this exclusion within

1 60 days of receiving the documents.

2 And, as specifically stated in writing in the plea
3 agreement, this exclusion will not affect the defendant's right
4 to apply for, and receive, benefits as a beneficiary under any
5 federal health care program, including Medicare and Medicaid.

6 There are recommendations that the Government has made in
7 exchange for the defendant's agreement to plead guilty. Those
8 are set forth in the plea supplement, which are before the
9 Court and before the defendant. Perhaps the -- one of the most
10 important ones to draw the Court's attention to is in
11 Paragraph 3, which is a conditional acceptance by the Court
12 under Rule 11(c)(1)(C).

13 And that is a recommendation that -- by the Government
14 that the -- a sentence of probation be imposed in this case
15 under the unique circumstances that this case presents. Those
16 are the main terms of the plea agreement and, again, the
17 supplement, which is before the defendant and before the Court.
18 Both documents contain the entirety of the agreement between
19 the defendant and the Government.

20 THE COURT: Ms. Gough, you've heard the prosecutor
21 state his understanding of the agreement that you entered into
22 with the Government. Did he accurately state it as you
23 understand it to be?

24 THE DEFENDANT: Yes, sir.

25 THE COURT: And is that your understanding,

1 Mr. Travis?

2 MR. TRAVIS: Yes, Your Honor.

3 THE COURT: And has it been executed?

4 MR. TRAVIS: Yes, Your Honor.

5 MR. FULCHER: Yes. We have executed copies of each,
6 if I may approach.

7 THE COURT: You want to introduce them into the
8 record? And I'm aware of the provision in there for probation,
9 and I'll comment on that at sentencing. But, at this time, I
10 will accept it and -- under these circumstances.

11 THE DEFENDANT: Thank you.

12 THE COURT: Has anybody, other than this agreement,
13 made any promises to you as to what sentence you will receive?

14 THE DEFENDANT: No, sir.

15 THE COURT: And you understand that the offense to
16 which you're pleading guilty is a felony; and, if your plea is
17 accepted, you will be adjudged guilty and such adjudication may
18 deprive you of valuable civil rights, such as the right to
19 vote, the right to hold public office, the right to serve on a
20 jury, and the right to possess any kind of firearm?

21 THE DEFENDANT: Yes, sir.

22 THE COURT: And I'm not going to talk about the
23 guidelines unless you think it's necessary here, Mr. Travis.

24 MR. TRAVIS: No, Your Honor.

25 THE COURT: Have you discussed the guidelines?

1 MR. TRAVIS: We have.

2 THE DEFENDANT: (Nodding head).

3 THE COURT: You understand what we're talking about?

4 THE DEFENDANT: Yes, sir.

5 THE COURT: And I will -- we will do the guidelines,
6 and it will be subject to the agreement that you've entered
7 into with the Government. And she has waived all rights to
8 appeal. Is that correct?

9 MR. FULCHER: That's correct, Your Honor.

10 THE COURT: With the exception of prosecutorial
11 misconduct or ineffective assistance of counsel. Is that in
12 there?

13 MR. FULCHER: That is correct, Your Honor.

14 THE COURT: Okay.

15 Do you understand that, Ms. Gough?

16 THE DEFENDANT: Yes, sir.

17 THE COURT: What is the Government's evidence against
18 Ms. Gough?

19 MR. FULCHER: Your Honor, if this case were to
20 proceed to trial, the Government would prove the following
21 evidence beyond a reasonable doubt, through the use of
22 documentary evidence, through medical records, and through
23 witness testimony, the evidence would show that -- the evidence
24 shows, through recipient interviews, primary care physician
25 interviews, patient's charts, and medical reviews, along with

1 bank statements and records, that Revelation Hospice and Andre
2 Kirkland were knowingly enrolling non-hospice eligible Medicaid
3 and Medicare recipients; and then filing false hospice claims
4 to Medicaid and Medicare for services that were not medically
5 necessary and/or were not even rendered.

6 As the Court, I know, is aware, Andre Kirkland has pled
7 guilty to these charges and has now been sentenced in this
8 court. Specifically, with regard to May Bailey Gough, the
9 evidence shows that she personally helped recruit and enroll
10 non-hospice eligible Medicaid and Medicare recipients into
11 Revelation Hospice along with Andre Kirkland and others.

12 Kirkland, as a registered nurse and Revelation's director
13 of nursing, personally admitted non-hospice appropriate
14 Medicaid and Medicare recipients into Revelation and deceived
15 the patients about the true nature of the services in which
16 they were being enrolled.

17 And, as part of this deception, many patients unknowingly
18 signed do-not-resuscitate forms, along with undated hospice
19 revocation forms. Kirkland would later use the revocation
20 forms to discharge patients from Revelation Hospice without the
21 patient's knowledge.

22 Andre Kirkland also personally paid Dr. Walter Gough an
23 amount of money above and beyond his contracted monthly medical
24 director salary. He also personally paid May Bailey Gough
25 approximately \$4,000 per month as a recruiter for Revelation

1 Hospice.

2 With regard to Revelation Hospice itself, the Mississippi
3 Medicaid program paid Revelation Hospice a total of \$66,171.43.
4 The Medicare program paid Revelation Hospice a total of
5 \$7,293,166.41.

6 After a medical review, there was a 100 percent denial of
7 all claims paid to the four Revelation Hospice Medicaid
8 recipients that were reviewed. After a medical review, there
9 was a 100 percent denial of claims of the 30 patient --
10 Medicare patients sampled.

11 Revelation Hospice had an average live discharge rate of
12 93.30 percent. By comparison, 2010 data shows that the
13 national average for live discharge was about 18 percent; and
14 the Mississippi rate was about 40.5 percent.

15 According to patient interviews, Andre Kirkland and May
16 Bailey Gough deceived patients about the true nature of the
17 services they were being enrolled in and never told patients
18 that they were terminally ill.

19 Andre Kirkland obtained signed, but undated, hospice
20 revocation forms from patients at the time of their admission.
21 These were used later by Revelation Hospice to discharge
22 patients without the patients' knowledge.

23 As an example, Kirkland did the admission of a patient
24 that I'll identify by her initials, S.P., who was a 29-year-old
25 pregnant female. Her primary care physician, Dr. Katherine

1 Patterson, said that she was not terminally ill and was nowhere
2 near hospice appropriate. Based on the information we have,
3 this particular patient is still very much alive and in good
4 health today.

5 The amounts billed to Medicare from Revelation Hospice and
6 the amounts paid per year include, in 2010, a billing of --
7 well, let me just cut to the chase and talk about the amount
8 that was paid. In 2010, the amount paid was approximately
9 \$73,000. In 2011, it was over \$1 million. In 2012, Revelation
10 Hospice was paid over \$3 million; 2013, Revelation Hospice was
11 paid \$2.8 million. And then, in 2014, Revelation Hospice was
12 paid \$313,488.08.

13 Dr. Gough's contracted monthly salary was \$5,000. Andre
14 Kirkland personally delivered checks to Dr. Gough for \$7,000;
15 often twice a month. Kirkland also personally delivered checks
16 to May Bailey Gough for \$2,000; often twice a month. These are
17 the basic facts that the Government would prove in this case
18 beyond a reasonable doubt if this case were to proceed to
19 trial.

20 THE COURT: Thank you.

21 MR. FULCHER: Yes, sir.

22 THE COURT: Ms. Gough, you've heard the prosecutor
23 state the evidence he had to present against you on this
24 particular charge. Did you do what he said you did?

25 THE DEFENDANT: Yes, I did.

1 THE COURT: Well, I find there is a factual basis for
2 you to plead guilty. Do you plead guilty or not guilty to
3 Count 1 of the information?

4 THE DEFENDANT: Guilty.

5 THE COURT: It is the finding of the Court, in the
6 case of the United States of America v. May Bailey Gough, that
7 the defendant is fully competent and capable of entering an
8 informed plea; that the defendant is aware of the nature of the
9 charges and the consequences; and that the plea of guilty is a
10 knowing and voluntary plea supported by an independent basis in
11 fact containing each of the essential elements of the offense.

12 Your plea is therefore accepted, and you are now adjudged
13 guilty of that offense. Your sentencing will be January
14 the 19th, 2017. And Ms. Pennebaker says I'm supposed to set a
15 bond. Is that correct?

16 THE COURTROOM DEPUTY: Yes, sir.

17 THE COURT: Are there any recommendations?

18 THE COURTROOM DEPUTY: Yes, sir. It's here.

19 THE COURT: Ms. Pennebaker said she could be released
20 on her own recognizance.

21 THE DEFENDANT: Thank you.

22 THE COURT: Any objection?

23 MR. FULCHER: None whatsoever.

24 THE COURT: Probation have any problem?

25 MR. FOUNTAIN: That would be our recommendation, Your

1 Honor.

2 THE COURT: That would be your --

3 MR. FOUNTAIN: Yes, sir.

4 THE COURT: Okay. Are you going to go over these
5 conditions of her bond with her?

6 MR. FOUNTAIN: I will, Your Honor.

7 THE COURT: Okay. That'll save me having to read
8 them in court.

9 MR. FOUNTAIN: Yes, sir.

10 THE COURT: All right. I think she understands.

11 Do you understand what I've just done?

12 THE DEFENDANT: Yes, sir.

13 THE COURT: All right.

14 Is there anything further to take up from the Government
15 at this time?

16 MR. FULCHER: Not from the Government, Your Honor.

17 THE COURT: Anything from the defense?

18 MR. TRAVIS: No, thank you, Your Honor.

19 THE COURT: You want to meet with her?

20 MR. FOUNTAIN: Yes, Your Honor.

21 THE COURT: You need to meet with this gentleman over
22 here. Court will be in recess.

23 MR. FULCHER: Thank you, Your Honor.

24 MR. TRAVIS: Thank you, Judge.

25 (THE HEARING ENDED AT 2:01 p.m.)

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CERTIFICATE OF OFFICIAL REPORTER

I, Rita Davis Young, Federal Official Realtime Court Reporter, in and for the United States District Court for the Northern District of Mississippi, do hereby certify that pursuant to Section 753, Title 28, United States Code that the foregoing is a true and correct transcript of the stenographically reported proceedings held in the above-entitled matter; and that the transcript page format is in conformance with the regulations of the Judicial Conference of the United States.

Dated this 25th day of January, 2017.

/s/ Rita Davis Young
RITA DAVIS YOUNG, FCRR, RPR, CSR #1626
Federal Official Court Reporter